



United States Government

NATIONAL LABOR RELATIONS BOARD
1015 HALF STREET, SE
WASHINGTON DC 20570

Re: Ground Zero Foundation d/b/a Academy for Creative Enrichment
Case 04-CA-245956

ORDER

Counsel for the General Counsel's Motion for Permission to File Late Answering Brief, which no party opposes, is granted.¹ Accordingly, the answering brief that accompanied the motion has been accepted.

Dated, Washington, D.C., May 22, 2020.

By direction of the Board:

/s/ Mark G. Eskenazi
Associate Executive Secretary

¹ Sec 102.2(d) of the Board's Rules and Regulations permits the filing of certain late-filed documents "within a reasonable time after the time prescribed by these Rules only upon good cause shown based on excusable neglect and when no undue prejudice would result..." While the reasons provided here would not normally support a finding of excusable neglect, we note that the late filing was primarily due to extraordinary circumstances arising out of the COVID-19 pandemic. Moreover, the motion was filed two days after the brief was due, no party opposes it, and no party will be prejudiced by accepting the brief. Under these circumstances, we find that excusable neglect has been shown.

Member Kaplan would not grant the motion because, in his view, counsel for the General Counsel has not established that his late filing was the result of excusable neglect.